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SUBJECT: MULET BRIEFS COUNCIL ON ESCALATING VIOLENCE IN DARFUR

REF: USUN 000555

¶1. (SBU) Summary: As requested by the United States, A/SYG Mulet briefed the Security Council on February 3 for the second time in less than a week on escalating violence in Darfur. Mulet reported that JEM forces had withdrawn from the vicinity of Muhajeriya, scene of much of the recent violence, but that the Government of Sudan had nevertheless asked UNAMID to remove its personnel from the area. He said that UNAMID was determined not to evacuate, especially because thousands of local residents needed mission protection, and that SYG Ban had personally engaged Sudanese President Bashir on the issue. UK Perm Rep Sawers indicated that his delegation would circulate a draft PRST for the Council's consideration. The U.S., France, Mexico, Burkina Faso, Austria, Croatia, Costa Rica, Uganda, and Turkey expressed support for a PRST. Russian Perm Rep Churkin stated that the PRST must send a strong signal to rebel groups. Libya maintained that the Council should consider an Article 16 resolution for deferral of the ICC decision. End Summary.

Twenty-Eight Bombings in One Morning

¶2. (SBU) UN Assistant Secretary General for Peacekeeping Operations, Edmond Mulet, briefed the Security Council on February 3 on recent fighting around Muhajeriya. Mulet said that within the last twenty-four hours, Government of Sudan (GOS) forces dropped twenty-eight bombs in the Muhajeriya area. He said that two thousand civilians seeking UN protection remain huddled around UNAMID facilities in the area. He confirmed UNAMID reports that the Justice and Equality Movement (JEM) had withdrawn its forces 50 to 60 kilometers away from Muhajeriya and declared its willingness to withdraw completely if the area were pronounced a UN demilitarized zone. He said the GOS rejected this offer in a press release. Mulet also noted that UNAMID had been prevented on February 3 by GOS forces from traveling to Muhajeriya, and underscored the GOS obligation to honor its Status of Forces Agreement (SOFA) guaranteeing UNAMID unrestricted freedom of movement throughout Darfur.

¶3. (SBU) Mulet detailed the GOS request for UNAMID personnel to leave Muhajeriya, noting that when the Deputy Wali of South Darfur met with the UNAMID head of office, he asked UNAMID to relocate personnel from Muhajeriya, saying this was necessary to "prevent any unnecessary loss of life . . . similar to Haskanita." Mulet said that the UN also received two letters, one from the Deputy Wali and one from the senior GOS liaison with UNAMID requesting that UNAMID personnel relocate because the GOS could not guarantee their safety. Mulet indicated that despite the GOS request, UNAMID elected to stay in Muhajeriya. Mulet confirmed that Secretary-General Ban met with President Bashir on the margins of the African Union (AU) Summit in Addis and urged the GOS to exercise restraint and guarantee the safety of UN personnel. Additionally, the UNAMID Joint Special Representative, Rodolphe Adada, met with officials in

Khartoum, while AU-UN Joint Chief Mediator Djibrill Bassole met with JEM members. Adada and Bassole will travel to Chad for further discussions with JEM leadership.

U.S: GOS Must Stop Bombing

¶ 14. (SBU) Ambassador Rice said that the GOS refusal to cease all military action, given confirmation that JEM had withdrawn from Muhajeriya, was disturbing, as were GOS restrictions on UNAMID's freedom of movement. She expressed U.S. support for UNAMID's decision to remain in Muhajeriya and commended SYG Ban's diplomatic efforts to reduce tension.

She warned members to watch for indications that the recent GOS actions were a prelude to much more aggressive action in the area even though JEM had pulled back. She urged the Council to speak with one voice and to call for a ceasefire and an end to the GOS bombing campaign in a PRST. She also asked Mulet for confirmation of whether the GOS had used white airplanes in its bombing campaign, in contravention of its recent pledge in the tripartite process between the UN, AU and GOS.

Like-minded Members Weigh In

¶ 15. (SBU) The UK argued that, in the face of mounting tensions, the Council must act. Therefore, the UK indicated it would circulate a draft PRST for Council consideration. The U.S., France, Mexico, Burkina Faso, Austria, Croatia, Costa Rica, Uganda, and Turkey indicated their support for a PRST. France and Croatia called on all parties to suspend

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military actions and comply with humanitarian obligations. Austria expressed concern for internally displaced persons and commended UNAMID for remaining in Muhajeriya. Burkina Faso noted that the upcoming meeting in Chad between Bassole and JEM leaders is encouraging and characterized JEM military action as linked to the ICC issue. Costa Rica, in response to other member states reference to the ICC, argued that it was not appropriate to mention the ICC in a PRST on the current violence and reiterated that parties must meet their ICC obligations.

. . . And So Do Others

¶ 16. (SBU) Libya said that no sovereign government would allow a rebel movement to control part of its territory. Libya urged the Council to adopt decisive measures -- including sanctions -- against JEM. Libya argued that as long as the Council fails to act against rebels, violence will continue. Libya also argued that JEM activities had damaged the relationship between Chad and Sudan and undermined Libya's work in facilitating renewed diplomatic relations between the countries. Libya reiterated that efforts to pass an Article 16 resolution deferring ICC action against President Bashir must continue.

¶ 17. (SBU) China joined Libya in asserting that the GOS was within its rights to combat actions jeopardizing peace. China said that an ICC decision against Bashir would jeopardize peace and the Council must ensure the political process is not impeded. China charged that JEM has "great ambitions," and called on the Council and individual Council members to exert pressure on JEM. Russia claimed that the primary flaw in Council discussions on Darfur has been the failure to address rebel groups. Russia noted that rebels refuse to negotiate or accept ceasefires, and the Security Council does not seem to be able to address this because it has no real channel to them. Russia expressed hope that the draft PRST would send a strong signal to rebel groups. Vietnam said that the Council's priority should be urging JEM to cease its provocation. Vietnam observed that the GOS is a recognized state and UN member, while JEM is an illegal

group.

Mulet Responds to Questions

¶8. (SBU) In response to Ambassador Rice's question about the GOS use of white aircraft, Mulet noted that the GOS had denied it but the UN would investigate this further. Mulet also noted that the conversation SYG Ban had with Bashir would be detailed in the upcoming UNAMID SYG report. Mulet also said that, although JEM had withdrawn, the situation is fluid; rebels move quickly and could be back in Muhajariya within two hours. Mulet closed by noting that, so long as UNAMID's movement is restricted (in violation of the SOFA), UNAMID cannot accurately report the situation on the ground in Darfur.

Rice